

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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SEVENTY-SECOND LEGISLATIVE DAY  
TUESDAY, MARCH 23, 2010

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Katie Vincent, Page.

### Approval of Journal

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-first Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

March 22, 2010

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 544](#)

As Always - Idaho, "Esto Perpetua"  
/s/ Brad Little  
Acting Governor of Idaho

March 22, 2010

Mr. Speaker:

I return herewith enrolled [HCR 46](#), [H 510](#), [H 561](#), [H 470](#), [H 480](#), as amended, [H 518](#), [H 579](#), [H 466](#), [H 517](#), [H 519](#), [H 538](#), [H 474](#), [H 445](#), [H 431](#), [H 560](#), [H 553](#), [H 476](#), and [H 424](#) which have been signed by the President.

WOOD, Secretary

Enrolled [HCR 46](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 510](#), [H 561](#), [H 470](#), [H 480](#), as amended, [H 518](#), [H 579](#), [H 466](#), [H 517](#), [H 519](#), [H 538](#), [H 474](#), [H 445](#), [H 431](#), [H 560](#), [H 553](#), [H 476](#), and [H 424](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 22, 2010

Mr. Speaker:

I transmit herewith [S 1408](#), [S 1412](#), [S 1413](#), [S 1403](#), [S 1407](#), [S 1415](#), [S 1416](#), [S 1389](#), as amended, and [S 1397](#), as amended, which have passed the Senate.

WOOD, Secretary

[S 1408](#), [S 1412](#), [S 1413](#), [S 1403](#), [S 1407](#), [S 1415](#), [S 1416](#), [S 1389](#), as amended, and [S 1397](#), as amended, were filed for first reading.

March 22, 2010

Mr. Speaker:

I transmit herewith [S 1418](#) which has passed the Senate.

WOOD, Secretary

[S 1418](#) was filed for first reading.

### Report of Standing Committees

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 697](#), [H 698](#), [H 699](#), and [H 700](#).

CLARK, Chairman

[H 697](#), [H 698](#), [H 699](#), and [H 700](#) were filed for second reading.

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [HCR 61](#) and [H 400](#), as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [HCR 61](#) and [H 400](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HJR 4](#), [HJR 5](#), and [HJR 7](#) to the Secretary of State at 1:36 p.m., as of this date, March 22, 2010.

CLARK, Chairman

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 471](#), [H 449](#), [H 469](#), [H 444](#), as amended, [H 464](#), [H 465](#), [H 482](#), [H 513](#), [H 416](#), [H 516](#), [H 456](#), [H 458](#), [H 478](#), [H 525](#), [H 415](#), [H 417](#), [H 463](#), and [H 533](#) to the Governor at 1:35 p.m., as of this date, March 22, 2010.

CLARK, Chairman

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 676](#) and [H 692](#) and report

them back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

[H 676](#) and [H 692](#) were placed on General Orders for consideration.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 686](#) and recommend that it do pass.

LAKE, Chairman

[H 686](#) was filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 682](#) and recommend that it do pass.

NONINI, Chairman

[H 682](#) was filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration [H 590](#) and recommend that it do pass.

RAYBOULD, Chairman

[H 590](#) was filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1310](#), [S 1399](#), and [S 1400](#) and recommend that they do pass.

BLOCK, Chairman

[S 1310](#), [S 1399](#), and [S 1400](#) were filed for second reading.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1335](#) and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

[S 1335](#) was placed on General Orders for consideration.

March 22, 2010

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [HJM 14](#), [S 1311](#), as amended, [S 1361](#), as amended, and [S 1398](#) and recommend that they do pass.

WOOD, Chairman

[HJM 14](#), [S 1311](#), as amended, [S 1361](#), as amended, and [S 1398](#) were filed for second reading.

March 23, 2010

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 688](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 688](#) was filed for second reading.

Mr. Roberts asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the legislative session. There being no objection, it was so ordered.

There being no objection, the House advanced to the Eighth Order of Business.

### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 701 BY APPROPRIATIONS COMMITTEE AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AUTHORIZING THE EXPENDITURE OF ALL DEDICATED FUNDS COLLECTED; AUTHORIZING A TRANSFER OF CERTAIN MONEYS APPROPRIATED FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING FOR REAPPROPRIATION OF GENERAL FUNDS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; PROVIDING LEGISLATIVE INTENT FOR MEDICAID PRICING FREEZES; PROVIDING LEGISLATIVE INTENT FOR MEDICAID PROGRAM FLEXIBILITY FOR FISCAL YEAR 2011; PROVIDING LEGISLATIVE INTENT FOR COST CONTAINMENT MEASURES; AND DECLARING AN EMERGENCY.

#### **HOUSE BILL NO. 702 BY APPROPRIATIONS COMMITTEE AN ACT**

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PHYSICAL HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; EXPRESSING LEGISLATIVE INTENT RELATING TO CERTAIN MILLENNIUM INCOME FUND APPROPRIATIONS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; APPROPRIATING ADDITIONAL MONEYS

TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PHYSICAL HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PHYSICAL HEALTH SERVICES FOR FISCAL YEAR 2011; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 703**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY AND THE DEPARTMENT OF HEALTH AND WELFARE FOR SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR WITS SYSTEM MODIFICATIONS AND ACCESS TO RECOVERY FUNDING.

**HOUSE BILL NO. 704**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN APPROPRIATION TRANSFER LIMITATIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 705**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR THE IDAHO STATE CAPITOL COMMISSION FOR FISCAL YEAR 2011; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES.

**HOUSE BILL NO. 706**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO ATVS, UTVS, SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES; AMENDING SECTION 49-302, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM LICENSING FOR CERTAIN OPERATORS OF ATVS, UTVS, SPECIALTY OFF-HIGHWAY VEHICLES AND MOTORBIKES, TO REQUIRE CERTAIN UNLICENSED OPERATORS TO COMPLETE A SAFETY COURSE, TO PROVIDE FOR CERTIFICATES OR PROOFS OF COMPLETION AND TO DEFINE A TERM.

**HOUSE BILL NO. 707**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO INCOME TAXATION POLICIES; AMENDING SECTION 63-3024, IDAHO CODE, TO REVISE INDIVIDUAL INCOME TAX RATES AND THE RATE OF TAX ON ESTATES AND TRUSTS; AMENDING SECTION 63-3025, IDAHO CODE, TO REVISE CORPORATE INCOME TAX RATES; AMENDING SECTION 63-3025A, IDAHO CODE, TO REVISE FRANCHISE TAX RATES; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 708**  
**BY WAYS AND MEANS COMMITTEE**  
AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 39-5606, IDAHO CODE, TO REMOVE A SUPPLEMENTAL COMPONENT AND TO PROVIDE FOR AN ADJUSTMENT TO PAYMENTS UNDER CERTAIN CONDITIONS; AMENDING SECTION 56-102, IDAHO CODE, TO REVISE DATES FOR DECREASING EACH SKILLED CARE FACILITY'S QUARTERLY RATE, TO REMOVE PROVISIONS REGARDING INCENTIVE PAYMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-113, IDAHO CODE, TO REVISE THE REIMBURSEMENT RATE FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED AND TO REMOVE A PROSPECTIVE RATE COMPONENT; AMENDING SECTION 56-136, IDAHO CODE, TO REVISE A DATE THROUGH WHICH A CERTAIN REIMBURSEMENT RATE SHALL REMAIN CONSTANT; AMENDING SECTION 56-209g, IDAHO CODE, TO REMOVE A POLICY STATEMENT WITH REGARD TO REDUCTION OF PHARMACY REIMBURSEMENT LEVELS FOR MEDICAID AND TO PROVIDE FOR A PERIODIC COST SURVEY TO ESTABLISH A PHARMACY REIMBURSEMENT FEE SCHEDULE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 709**  
**BY REVENUE AND TAXATION COMMITTEE**  
AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE; TO PROVIDE FOR THE APPLICATION OF CERTAIN EXPIRED PROVISIONS OF THE INTERNAL REVENUE CODE WHEN EXTENDED BY CONGRESS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 710**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR INDIRECT SUPPORT SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 711**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING MONEYS FROM THE PERMANENT BUILDING FUND TO THE DIVISION OF PUBLIC WORKS FOR THE VARIOUS PURPOSES SPECIFIED; EXPRESSING LEGISLATIVE INTENT CONCERNING THE USE OF MONEYS APPROPRIATED IN THIS ACT; EXEMPTING

THE APPROPRIATIONS FROM THE PROVISIONS OF CHAPTER 36, TITLE 67, IDAHO CODE, AND FROM THE PROVISIONS OF SECTION 67-3516, IDAHO CODE; AND AUTHORIZING THE USE OF TAX ANTICIPATION NOTES.

**HOUSE BILL NO. 712  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

REDUCING THE APPROPRIATION TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON SHARING OFFICE SPACE; AND DECLARING AN EMERGENCY.

[H 701](#), [H 702](#), [H 703](#), [H 704](#), [H 705](#), [H 706](#), [H 707](#), [H 708](#), [H 709](#), [H 710](#), [H 711](#), and [H 712](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1408](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1403](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

[S 1407](#), by Finance Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1389](#), as amended, and [S 1397](#), as amended, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1412](#), [S 1413](#), [S 1415](#), [S 1416](#), and [S 1418](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 694](#), [H 695](#), and [H 696](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 681](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1320](#), as amended, and [S 1301](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[S 1340](#), as amended, [S 1382](#), as amended, [S 1383](#), as amended, and [S 1384](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1410](#), by Finance Committee, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

Mr. Nonini asked unanimous consent that [H 650](#) be returned to the Education Committee from General Orders. There being no objection, it was so ordered.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 694](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 694](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 694](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall [H 694](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 694](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 695](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 695](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 695](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall [H 695](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 695](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 696](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 696](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne,

Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 696](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

Mr. Durst asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of [H 696](#). There being no objection it was so ordered.

The question being, "Shall [H 696](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 696](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 681](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 681](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.

Total – 70.



Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 681](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall [H 681](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Anderson, Clark, Nonini. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [H 681](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [S 1410](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [S 1410](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Bedke.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – Durst. Total – 1.

Absent and excused – Clark. Total – 1.  
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [S 1410](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [S 1410](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Clark, Nonini. Total – 3.  
Total – 70.

Whereupon the Speaker declared that [S 1410](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

[S 1409](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall [S 1409](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chew, Collins, Crane, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Jaquet, Jarvis, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayne, Thompson, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 58.

NAYS – Burgoyne, Chavez, Cronin, Durst, Higgins, King, Pasley-Stuart, Ruchti, Sayler, Trail. Total – 10.

Absent and excused – Clark, Henderson. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [S 1409](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1365](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall [S 1365](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Clark. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1365](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1327](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

Pursuant to Rule 38(3), Mr. Nonini disclosed a conflict of interest regarding [S 1327](#).

Pursuant to Rule 38(3), Mr. Nielsen disclosed a conflict of interest regarding [S 1327](#).

Pursuant to Rule 38(3), Mr. Jarvis disclosed a conflict of interest regarding [S 1327](#).

The question being, "Shall [S 1327](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Bell, Clark. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1327](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1357](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall [S 1357](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Clark, Wills. Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1357](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1354](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [S 1354](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Thompson, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – Simpson. Total – 1.

Absent and excused – Black, Clark, Harwood, Wills. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1354](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1376](#), as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Higgins to open debate.

The question being, "Shall [S 1376](#), as amended in the House, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Clark, Harwood, Shepherd(08), Thompson, Wills. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1376](#), as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1375](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

The question being, "Shall [S 1375](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Clark, McGeachin, Nonini, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1375](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1345](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall [S 1345](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Burgoyne. Total – 1.

Absent and excused – Clark, Kren, McGeachin, Nonini, Thompson. Total – 5.

Total – 70.

Whereupon the Speaker declared that [S 1345](#), as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

[SCR 119](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall [SCR 119](#) be adopted?"

Whereupon the Speaker declared [SCR 119](#) adopted by voice vote and ordered the resolution returned to the Senate.

[SCR 120](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall [SCR 120](#) be adopted?"

Whereupon the Speaker declared [SCR 120](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle asked unanimous consent that [SCR 124](#) retain its place on the Third Reading Calendar until Friday, March 26, 2010. There being no objection, it was so ordered.

[SCR 115](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall [SCR 115](#) be adopted?"

Whereupon the Speaker declared [SCR 115](#) adopted by voice vote and ordered the resolution returned to the Senate.

[SCR 113](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Takasugi to open debate.

The question being, "Shall [SCR 113](#) be adopted?"

Whereupon the Speaker declared [SCR 113](#) adopted by voice vote and ordered the resolution returned to the Senate.

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

#### RECESS

#### Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused – Barrett. Total – 1.

Total – 70.

Prior to recess, the House was at the Eleventh Order of Business.

#### Third Reading of Bills and Joint Resolutions

There being no objection, the House returned to the Eighth Order of Business.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 713 BY APPROPRIATIONS COMMITTEE

#### AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2011.

[H 713](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Twelfth Order of Business.

#### Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Rusche. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.



When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 23, 2010

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration [H 631](#), [H 667](#), [H 676](#), [H 692](#), and [S 1335](#) and report them back without recommendation, amended as follows:

### HOUSE AMENDMENT TO H.B. NO. 631

#### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 39 through 42; on page 2, delete lines 1 through 5, and insert: "and (g)(4) apply. If the court so finds, the clerk of the court shall forward a"; in line 11, following "the" insert: "magistrate division of the"; in line 12, following "or the" insert: "magistrate division of the"; in line 13, delete "for relief from the order and"; in line 14, following "disabilities" insert: "as provided in section 105(a) of P.L. 110-180".

#### CORRECTION TO TITLE

On page 1, delete lines 5 through 7, and insert: "APPLIES TO PERSONS IN SPECIFIED CASES, TO PROVIDE FOR".

### HOUSE AMENDMENT TO H.B. NO. 667

#### AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 31 through 41; and on page 2, delete lines 1 and 2, and insert:

"(5) Public health districts shall have all proposed rules regarding environmental protection or programs administered by the department of environmental quality submitted for review and comment to the state board of environmental quality and such rules must be approved by adoption of a concurrent resolution by both houses of the legislature or such rules shall expire at the conclusion of a regular session of the legislature. It is the intent of the legislature that standards and rules relating to subsurface sewage systems, wastewater treatment, sewage systems and water quality be consistent statewide."

#### AMENDMENT TO THE BILL

On page 2, following line 2, insert:

"SECTION 2. That, having found that the following rules violate the legislative intent of the statute under which the rules were adopted, IDAPA 41.01.01.901; IDAPA 41.01.01.100.02; and IDAPA 41.01.01.100.06 shall be null, void and of no force and effect at the conclusion of the Second Regular Session of the Sixtieth Idaho Legislature.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

#### CORRECTION TO TITLE

On page 1, delete lines 3 through 6, and insert: "PROVIDE THAT CERTAIN RULES OF THE PUBLIC HEALTH DISTRICTS BE SUBMITTED FOR REVIEW AND COMMENT BY THE STATE BOARD OF ENVIRONMENTAL QUALITY, TO PROVIDE THAT SUCH RULES EXPIRE AT THE END OF A REGULAR SESSION OF THE LEGISLATURE IF NOT APPROVED BY CONCURRENT RESOLUTION AND TO PROVIDE LEGISLATIVE INTENT REGARDING CERTAIN RULES; DECLARING CERTAIN RULES NULL, VOID AND OF NO FORCE AND EFFECT

AT THE END OF THE SECOND REGULAR SESSION OF THE SIXTIETH IDAHO LEGISLATURE; AND DECLARING AN EMERGENCY."

### HOUSE AMENDMENT TO H.B. NO. 676

#### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 1, following "(1)" delete "(a)"; in line 7, delete "(b)" and insert: "(2)"; in line 8, following "(1)" delete "(a)"; and delete lines 14 through 49.

#### CORRECTION TO TITLE

On page 1, in line 6, following "FORMS" delete "," and insert: "AND"; in line 7, following "FORMS" delete ", TO" and insert: "."; and delete lines 8 through 15.

### HOUSE AMENDMENT TO H.B. NO. 692

#### AMENDMENT TO SECTION 1

On page 2 of the printed bill, in line 6, delete "\$121,000" and insert: "\$117,000"; and in line 27, delete "\$125,000" and insert: "\$119,000".

### HOUSE AMENDMENT TO S.B. NO. 1335

#### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 15, delete "~~voluntary~~" and insert: "voluntary"; in line 21, delete "~~voluntary~~" and insert: "voluntary"; and delete lines 27 through 31, and insert:

"(2) The name of a child ~~or~~ and information relating to the immunization status of that child ~~may~~ shall be collected ~~or~~ and included in the registry ~~only upon the separate and specific written authorization of~~ unless a parent, guardian or other person legally responsible for the care of the child chooses not to have the child included in the registry upon a specified written".

#### AMENDMENT TO THE BILL

On page 2, following line 38, insert:

"SECTION 2. That Section 39-4804, Idaho Code, be, and the same is hereby amended to read as follows:

39-4804. NOTIFICATION TO PARENT OR GUARDIAN. (1) Before an immunization is administered to any child in this state, the parent or guardian of the child shall be notified that:

(~~1a~~) Immunizations are not mandatory and may be refused on religious or other grounds;

(~~2b~~) Participation in the immunization registry is voluntary;

(~~3c~~) The parent or guardian is entitled to an accurate explanation of the complications known to follow such immunization.

(2) At the time information is initially collected regarding any child for entry into the registry created pursuant to this chapter, the parent or guardian shall be notified that:

(a) They have the right under Idaho law to submit a statement pursuant to the provisions of sections 39-1118 and 39-4802, Idaho Code, which exempts them from any requirement to have information regarding the child entered into the registry;

(b) At any time they have the right to remove any information from the registry regarding the child; and

(c) Immunizations are not mandatory and may be refused on religious or other grounds.

(3) The decision of a parent or guardian to:

(a) Submit a statement pursuant to the provisions of either section 39-1118(2) or 39-4802(2), Idaho Code;

(b) Remove any information regarding the child from the registry pursuant to the provisions of section 39-4803(4), Idaho Code; or

(c) Refuse the immunization on religious or other grounds; shall not be used in any manner against the interests of the parent or guardian in any administrative, civil or criminal action."

#### CORRECTION TO TITLE

On page 1, in line 3, delete "LANGUAGE REGARDING A VOLUNTARY IMMUNIZATION REGISTRY, TO REMOVE"; in line 10, following "PERSONS" insert: "; AND AMENDING SECTION 39-4804, IDAHO CODE, TO REVISE NOTIFICATION REQUIREMENTS AND TO PROVIDE THAT CERTAIN DECISIONS OF THE PARENT OR GUARDIAN SHALL NOT BE USED AGAINST THE PARENT OR GUARDIAN IN CERTAIN ACTIONS".

We have also had under consideration [S 1352](#), as amended, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the reported be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

[H 631](#), as amended, [H 667](#), as amended, [H 676](#), as amended, and [H 692](#), as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

[S 1335](#), as amended in the House, was filed for first reading.

[S 1352](#), as amended, was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Tenth Order of Business.

#### Second Reading of Bills and Joint Resolutions

[H 697](#) and [H 698](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 699](#), [H 700](#), [H 682](#), and [HJM 14](#), by Education Committee, were read the second time by title and filed for third reading.

[H 686](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

[H 590](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1310](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[S 1399](#) and [S 1398](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

[S 1400](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1311](#), as amended, and [S 1361](#), as amended, by Transportation Committee, were read the second time by title and filed for third reading.

[H 688](#), by Ways and Means Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Wednesday, March 24, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:42 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk